

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOHN MORTIMER,  
Plaintiff,

vs.

GEORGE MACCALLUM and the  
SUFFOLK COUNTY  
SHERIFF'S DEPARTMENT,  
Defendants.

RECEIVED 10 A 11:00  
U.S. DISTRICT COURT  
DISTRICT OF MASS  
CIVIL ACTION NO. 03-1244RCL

03-12447RCL

**PLAINTIFF JOHN MORTIMER'S ASSENTED TO MOTION TO ENLARGE  
TIME TO FILE OPPOSITION TO DEFENDANT SUFFOLK COUNTY  
SHERIFF'S DEPARTMENT'S MOTION TO DISMISS COUNT II AND III OF  
PLAINTIFF'S COMPLAINT PURSUANT TO FED.R.CIV.P. 12(b)(6)**

Now comes the Plaintiff, John Mortimer, by and through his counsel and moves this Honorable Court to enlarge the time to file a responsive pleading to the defendant, Suffolk County Sheriff's Department's, Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6). As reason therefore, the Plaintiff states that more time is required to properly prepare a meaningful response. Plaintiff respectfully requests a continuance until and including February 17, 2004 for filing. Counsel for the Defendant has assented to the requested enlargement.

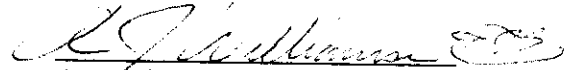
Respectfully Submitted:

For Plaintiff,  
John Mortimer,  
By His Attorney,

For Defendant,  
Suffolk County Sheriff's Dept.  
By Its Attorney,



Keith J. Nicholson, Esq.  
BBO# 634726  
Robert George & Assoc.  
138 Newbury Street, Suite 3  
Boston, MA 02116  
(617) 262-6900



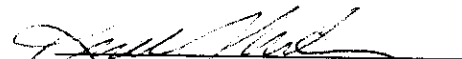
A.J. Williamson, Esq.  
BBO# 650027  
Assistant General Counsel  
Suffolk County Sheriff's Dept.  
200 Nashua Street  
Boston, MA 02114  
(617) 989-6651

Dated: February 9, 2004

Certificate of Counsel Pursuant to Local Rule 7.1

Pursuant to L.R.7.1(A)(2), I certify that I have conferred with counsel for the Defendant in an effort to resolve all issues raised in the accompanying motion.

Dated: February 9, 2004

  
Keith J. Nicholson, Esq.